



STATE OF MICHIGAN
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DEPARTMENT OF STATE
LANSING

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**BALLOT ACCESS INFORMATION FOR PRESIDENTIAL CANDIDATES
SEEKING OFFICE IN 2004**

The following summarizes the provisions of Michigan election law which govern the ballot access procedures established in Michigan for candidates who seek the office of U.S. President. As the ballot access procedures are subject to change by the Michigan State Legislature, presidential candidates interested in participating in Michigan's November 2, 2004 general election are encouraged to remain in contact with the Michigan Department of State's Bureau of Elections in advance of the elections.

February 24, 2004 Presidential Primary

The February 24, 2004 presidential primary scheduled in Michigan will *not* be held pursuant to PA 13 of 2003 (SB 397). The legislation suspends the conduct of the presidential primary in 2004 only.

November 2, 2004 General Election Ballot

The November general election ballot will combine the major party presidential nominees; presidential nominees named by the minor parties qualified to appear on the general election ballot; and presidential candidates who choose to run without political party affiliation. Write-in candidates who seek the office of U.S. President are also eligible to participate in the general election.

PRESIDENTIAL CANDIDATES AFFILIATED WITH A MAJOR PARTY: The names and addresses of the party's candidates for the offices of president and vice-president must be certified by the chairperson and the secretary of the party's state central committee to the Secretary of State and to the election commission of each county (in care of the county clerks) within one business day after the conclusion of the party's state convention. In addition, the chairperson and secretary of the party's state central committee must forward to the Secretary of State a certificate which bears the names and addresses of the party's presidential electors. The certificate must be sent to the Secretary of State by certified or registered mail within one business day after the conclusion of the party's state convention. A major party must convene its state convention no later than September 3, 2004. (MCL 168.42; 168.591; 168.686)

PRESIDENTIAL CANDIDATES AFFILIATED WITH A MINOR PARTY: The names and addresses of the party's candidates for the offices of president and vice-president must be certified by the chairperson and secretary of the party's state central committee to the Secretary of State and to the election commission of each county (in care of the county clerk) within one

business day after the conclusion of the party's national convention but in no case later than September 3, 2004. In addition, the chairperson and secretary of the party's state central committee must forward to the Secretary of State a certificate which bears the names and addresses of the party's presidential electors. The certificate must be sent to the Secretary of State by certified or registered mail within one business day after the conclusion of the party's national convention but in no case later than September 3, 2004. (MCL 168.42; 168.686)

A political party may appear on the general election ballot in Michigan by virtue of the voter support accorded the party at the last general election or by filing a "new political party" petition.

For further information on the procedures which govern political party ballot access, contact the Department of State's Bureau of Elections.

PRESIDENTIAL CANDIDATES WITHOUT POLITICAL PARTY AFFILIATION: The candidate must submit a qualifying petition and two Affidavits of Identity. The candidate must also submit the name of his or her running mate and the names and addresses of his or her presidential electors. The qualifying petition and affidavits must be filed no later than 4:00 p.m. on July 15, 2004. (MCL 168.590c) The name of the candidate's running mate and the names and addresses of his or her presidential electors must be filed no later than August 30, 2004. (MCL 168.590d) All documents must be filed with the Department of State's Bureau of Elections.

- The number of valid signatures required on the qualifying petition is 31,776 (1% of the total number of votes cast for all candidates for governor in 2002). Of the signatures submitted on the petition, there must be at least 100 signatures from each of at least 1/2 of the congressional districts in the state. (MCL 168.590b) The required signatures can be collected on a city/township qualifying petition form or on a countywide qualifying petition form. (MCL 168.590a)
- Any signatures appearing on the qualifying petition which are dated more than 180 days prior to the date the petition is filed are invalid. The petition can be placed in circulation at any date falling after November 5, 2002. (MCL 168.590b)
- A candidate who wishes to withdraw his or her petition must submit a written notice of withdrawal to the Department of State's Bureau of Elections no later than 4:00 p.m. on July 19, 2004. (MCL 168.590c)
- The law specifies that a person who files a qualifying petition cannot appear on the ballot as a partisan candidate for any office for the remainder of the calendar year. (MCL 168.590g) The law further specifies that a person who files a partisan nominating petition or filing fee as a candidate of a political party or who is nominated by a political party convention, committee or caucus and accepts the nomination cannot file a qualifying petition for the remainder of the calendar year. (MCL 168.692a)

WRITE-IN CANDIDATES FOR PRESIDENT: Write-in votes cast for a political party's candidates for president and vice-president are tallied and certified as votes for the party's presidential electors if the party forwards the names of the candidates, a list of the party's

presidential electors and “Declaration of Intent” forms executed by the candidates to the Secretary of State by September 3, 2004. Write-in votes cast for an individual seeking the office of U.S. President who fails to file the required documents are not counted.

Write-in votes cast for a candidate for president who does *not* have a political party affiliation are tallied and certified as votes for the candidate’s presidential electors if the candidate forwards the name of his or her running mate, a list of presidential electors and a “Declaration of Intent” form to the Secretary of State by September 3, 2004. Write-in votes cast for an individual seeking the office of U.S. President who fails to file the required documents are not counted.

ADDITIONAL INFORMATION

If you have questions regarding any of the information presented here, please feel free to contact this office. Answers to your questions will also be found in the Michigan election law. To order a copy, remit \$7.50 to this office. Please make your check or money order payable to the “State of Michigan.” The Michigan election law can also be accessed through the website maintained by the Michigan State Legislature <www.michiganlegislature.org>.

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